

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

PHILLIP LEE; PAMELA WHITE;
PATRICIA VANDUSEN; RONALD
ALLIX; and RANDY WELCH, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

BELVOIR MEDIA GROUP, LLC,

Defendant.

Case No. 4:22-cv-12153-SDK-DRG

Hon. Shalina D. Kumar

CLASS ACTION

**UNOPPOSED MOTION FOR LEAVE TO FILE ENLARGED BRIEF
IN SUPPORT OF PLAINTIFFS' MOTION FOR
LEAVE TO FILE SECOND AMENDED COMPLAINT**

The undersigned counsel certifies that counsel communicated with opposing counsel, via rounds of email correspondence on January 19, 2024, explaining the nature of the relief to be sought by way of this Motion and seeking concurrence in the relief; Defendant's counsel responded that Defendant does not oppose the relief requested in this Motion.

Plaintiffs Phillip Lee, Pamela White, Patricia VanDusen, Ronald Allix, and Randy Welch (collectively, "Plaintiffs"), through their counsel, hereby moves the Court for leave to file an enlarged brief, not to exceed 12 pages, in support of their Motion for Preliminary Approval of Class Action Settlement. In support of this Unopposed Motion, Plaintiffs state as follows:

1. On December 11, 2023, in Plaintiffs' Motion for Leave to File Second Amended Complaint, Plaintiffs have requested that the Court grant leave, pursuant to Fed. R. Civ. P. 15, to amend their Complaint and file their attached Proposed Second Amended Complaint, which adds two additional named plaintiffs, Lynne Vandebunte and Steven Lepsetz, and removes Plaintiffs Lee, White, Welch and VanDusen, but is otherwise substantively identical to the operative First Amended Complaint. ECF No. 42.

2. On December 18, 2023, the Court entered a stipulated order setting the briefing schedule for regarding the above Motion. ECF No. 43.

3. Plaintiffs' reply brief is due February 8, 2024. *Id.*

4. Defendant's response brief was filed on January 18, 2024 (ECF No. 44), and, in addition to its response brief itself, Defendant filed two additional declarations in support (ECF Nos. 45, 46), including a declaration filed by Defendant's counsel which includes 34 exhibit pages. ECF No. 45.

5. Plaintiffs are endeavoring to make their greatest effort to keep their reply in support as succinct as possible. However, Plaintiffs believe in good faith that the filing of a brief in excess of the seven page limit provided by LR 7.1(d)(3)(B) is necessary to fully and effectively respond to Defendant's arguments.

6. Defendant's Response brief raises a number of arguments that require further additional context to properly evaluate; as such, additional pages are required to provide respond to Defendant's arguments.

WHEREAS, Plaintiffs respectfully request that the Court enter an Order granting them leave to file an enlarged brief, not to exceed 12 pages, in support of Plaintiffs' Motion for Leave to File Second Amended Complaint.

Dated: February 6, 2024

Respectfully submitted,

/s/ E. Powell Miller

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CLASS ACTION

**BRIEF IN SUPPORT OF UNOPPOSED MOTION FOR LEAVE TO
FILE ENLARGED BRIEF IN SUPPORT OF PLAINTIFFS' MOTION
FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

Plaintiffs, by and through their undersigned attorneys, and in support of their Unopposed Motion For Leave to File Enlarged Brief in Support of Plaintiffs' Motion for Leave to File Second Amended Complaint, relies on the content of Plaintiffs' Motion.

Dated: February 6, 2024

Respectfully submitted,

/s/ E. Powell Miller

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CERTIFICATE OF SERVICE

I, E. Powell Miller, an attorney, hereby certify that on February 6, 2024, I served the above and foregoing Plaintiffs' Motion for and Brief in Support of Leave to Amend on all counsel of record by filing it electronically with the Clerk of the Court using the CM/ECF system.

/s/ E. Powell Miller
E. Powell Miller